



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0682

Introduced 1/31/2005, by Rep. Brent Hassert

SYNOPSIS AS INTRODUCED:

70 ILCS 2205/19.5 new
70 ILCS 2305/16.5 new
70 ILCS 2405/13.5 new
70 ILCS 2605/37 new
70 ILCS 2805/24a new
70 ILCS 2905/2-11 new
70 ILCS 3020/25 new

Amends the Sanitary District Act of 1907, the North Shore Sanitary District Act, the Sanitary District Act of 1917, the Metropolitan Water Reclamation District Act, the Sanitary District Act of 1936, the Metro-East Sanitary District Act of 1974, and the Eastern Will Sanitary District Act. Unless otherwise agreed by the parties, requires a sanitary district that locates its facilities within the railroad right-of-way for a crossing, other than a crossing along the public roads of this State, to pay the railroad a one-time standard crossing fee of \$750 for each crossing. Provides that the standard crossing fee is in lieu of any license or any other fees or charges to reimburse the railroad for its direct expenses incurred as a result of the crossing. Requires the district to also reimburse the railroad for any actual flagging expenses associated with the crossing in addition to the standard crossing fee. Effective immediately.

LRB094 06844 MKM 36950 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Sanitary District Act of 1907 is amended by
5 adding Section 19.5 as follows:

6 (70 ILCS 2205/19.5 new)

7 Sec. 19.5. Standard crossing fee. Unless otherwise agreed
8 by the parties, a sanitary district that locates its facilities
9 within the railroad right-of-way for a crossing, other than a
10 crossing along the public roads of the State pursuant to the
11 Telephone Line Right of Way Act, shall pay the railroad a
12 one-time standard crossing fee of \$750 for each crossing. The
13 standard crossing fee is in lieu of any license or any other
14 fees or charges to reimburse the railroad for the direct
15 expenses incurred by the railroad as a result of the crossing.
16 The district shall also reimburse the railroad for any actual
17 flagging expenses associated with a crossing in addition to the
18 standard crossing fee.

19 Section 10. The North Shore Sanitary District Act is
20 amended by adding Section 16.5 as follows:

21 (70 ILCS 2305/16.5 new)

22 Sec. 16.5. Standard crossing fee. Unless otherwise agreed
23 by the parties, a sanitary district that locates its facilities
24 within the railroad right-of-way for a crossing, other than a
25 crossing along the public roads of the State pursuant to the
26 Telephone Line Right of Way Act, shall pay the railroad a
27 one-time standard crossing fee of \$750 for each crossing. The
28 standard crossing fee is in lieu of any license or any other
29 fees or charges to reimburse the railroad for the direct
30 expenses incurred by the railroad as a result of the crossing.

1 The district shall also reimburse the railroad for any actual
2 flagging expenses associated with a crossing in addition to the
3 standard crossing fee.

4 Section 15. The Sanitary District Act of 1917 is amended by
5 adding Section 13.5 as follows:

6 (70 ILCS 2405/13.5 new)

7 Sec. 13.5. Standard crossing fee. Unless otherwise agreed
8 by the parties, a sanitary district that locates its facilities
9 within the railroad right-of-way for a crossing, other than a
10 crossing along the public roads of the State pursuant to the
11 Telephone Line Right of Way Act, shall pay the railroad a
12 one-time standard crossing fee of \$750 for each crossing. The
13 standard crossing fee is in lieu of any license or any other
14 fees or charges to reimburse the railroad for the direct
15 expenses incurred by the railroad as a result of the crossing.
16 The district shall also reimburse the railroad for any actual
17 flagging expenses associated with a crossing in addition to the
18 standard crossing fee.

19 Section 20. The Metropolitan Water Reclamation District
20 Act is amended by adding Section 37 as follows:

21 (70 ILCS 2605/37 new)

22 Sec. 37. Standard crossing fee. Unless otherwise agreed by
23 the parties, a sanitary district that locates its facilities
24 within the railroad right-of-way for a crossing, other than a
25 crossing along the public roads of the State pursuant to the
26 Telephone Line Right of Way Act, shall pay the railroad a
27 one-time standard crossing fee of \$750 for each crossing. The
28 standard crossing fee is in lieu of any license or any other
29 fees or charges to reimburse the railroad for the direct
30 expenses incurred by the railroad as a result of the crossing.
31 The district shall also reimburse the railroad for any actual
32 flagging expenses associated with a crossing in addition to the

1 standard crossing fee.

2 Section 25. The Sanitary District Act of 1936 is amended by
3 adding Section 24a as follows:

4 (70 ILCS 2805/24a new)

5 Sec. 24a. Standard crossing fee. Unless otherwise agreed by
6 the parties, a sanitary district that locates its facilities
7 within the railroad right-of-way for a crossing, other than a
8 crossing along the public roads of the State pursuant to the
9 Telephone Line Right of Way Act, shall pay the railroad a
10 one-time standard crossing fee of \$750 for each crossing. The
11 standard crossing fee is in lieu of any license or any other
12 fees or charges to reimburse the railroad for the direct
13 expenses incurred by the railroad as a result of the crossing.
14 The district shall also reimburse the railroad for any actual
15 flagging expenses associated with a crossing in addition to the
16 standard crossing fee.

17 Section 30. The Metro-East Sanitary District Act of 1974 is
18 amended by adding Section 2-11 as follows:

19 (70 ILCS 2905/2-11 new)

20 Sec. 2-11. Standard crossing fee. Unless otherwise agreed
21 by the parties, a sanitary district that locates its facilities
22 within the railroad right-of-way for a crossing, other than a
23 crossing along the public roads of the State pursuant to the
24 Telephone Line Right of Way Act, shall pay the railroad a
25 one-time standard crossing fee of \$750 for each crossing. The
26 standard crossing fee is in lieu of any license or any other
27 fees or charges to reimburse the railroad for the direct
28 expenses incurred by the railroad as a result of the crossing.
29 The district shall also reimburse the railroad for any actual
30 flagging expenses associated with a crossing in addition to the
31 standard crossing fee.

1 Section 35. The Eastern Will Sanitary District Act is
2 amended by adding Section 25 as follows:

3 (70 ILCS 3020/25 new)

4 Sec. 25. Standard crossing fee. Unless otherwise agreed by
5 the parties, a sanitary district that locates its facilities
6 within the railroad right-of-way for a crossing, other than a
7 crossing along the public roads of the State pursuant to the
8 Telephone Line Right of Way Act, shall pay the railroad a
9 one-time standard crossing fee of \$750 for each crossing. The
10 standard crossing fee is in lieu of any license or any other
11 fees or charges to reimburse the railroad for the direct
12 expenses incurred by the railroad as a result of the crossing.
13 The district shall also reimburse the railroad for any actual
14 flagging expenses associated with a crossing in addition to the
15 standard crossing fee.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.